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01-28-02 C. Haworth  
#24 CPA  
2.6.02 \$

**CONTINUED PROSECUTION APPLICATION (CPA)  
REQUEST TRANSMITTAL**

Submit an original, and a duplicate for fee processing.  
(Only for Continuation or Divisional applications under 37 C.F.R. § 1.53(d))

CHECK BOX, if applicable:

☐ DUPLICATE

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**Address to:**

Commissioner for Patents

Box CPA  
Washington, DC 20231

Attorney Docket No.  
of Prior Application

10580/3-2

First Named Inventor

Bernard Bendiner

Examiner Name

LaToya I. Cross

Group/Art Unit.

1743

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EL 228576014 US

This is a request for a ☐ continuation or ☐ divisional application under 37 C.F.R. § 1.53(d), (continued prosecution application (CPA)) of prior application number 09/336,612, filed June 16, 1999, entitled SORBIC ACID AND/OR ITS DERIVATIVES, SUCH AS POTASSIUM SORBATE, AS A PREVENTATIVE FOR RUST, CORROSION AND SCALE ON METAL.

**NOTES**

**FILING QUALIFICATIONS:** The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 C.F.R. § 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. § 371..

**C-I-P NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 C.F.R. § 1.53(d), but must be filed under 37 C.F.R. § 1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 C.F.R. § 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific request required by 35 U.S.C. § 120 and to every application assigned the application number identified in such request, 37 C.F.R. § 1.78(a).

1. ☐ Enter the unentered amendment previously filed on \_\_\_\_\_ under 37 C.F.R. § 1.116 in the prior nonprovisional application.
2. ☒ An amendment is enclosed.
3. This application is filed by fewer than all the inventors named in the prior application, 37 C.F.R. § 1.53(d)(4).
  - a. ☐ **DELETE** the following inventor(s) named in the prior nonprovisional application:  
\_\_\_\_\_
  - b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4. ☐ A new power of attorney or authorization of agent is enclosed.
5. Information Disclosure Statement (IDS) is enclosed:
  - a. ☐ PTO-1449
  - b. ☐ Copies of IDS Citations



00757

PATENT TRADEMARK OFFICE

02/01/2002 SEARCHED 00000000 031025 00226512

02 FEB 2002 115.00 CH 255.00 OP

- ☒ a small entity, verified statement is:  
     ☐ attached  
     ☒ already filed  
☐ other than small entity

	<u>Extension Months</u>	<u>Other Than Small Entity</u>	<u>Small Entity</u>
<input checked="" type="checkbox"/>	One Month	\$110	\$55
<input type="checkbox"/>	Two Months	\$390	\$195
<input type="checkbox"/>	Three Months	\$890	\$445
<input type="checkbox"/>	Four Months	\$1,390	\$695
<input type="checkbox"/>	Five Months	\$1,890	\$945

**Fee Payment**

- ☒ Attached is a check for \$55 for the Petition fee.  
☐ Charge Petition fee to Deposit Account No. 23-1925. A duplicate copy of this Petition is attached.  
☒ Charge any additional fee required or credit for any excess fee paid to Deposit Account No. 23-1925. A duplicate copy of this Petition is attached.

Respectfully submitted,

Dated: 01-25-02


F. David AuBuchon  
 Registration No. 20,493  
 Attorney for Applicant

BRINKS HOFER GILSON & LIONE  
 P.O. BOX 10395  
 CHICAGO, IL 60610  
 (312)321-4200



*Pr. Amdt 19*  
*2.6.02*

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on

January 25, 2002  
Date of Deposit

F. David DeBuckor  
Name of Applicant, Assignee or  
Registered Representative

F. David DeBuckor  
Signature

January 25, 2002  
Date of Signature

**RECEIVED**  
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**TC 1700**

Our Case No. 10580/3-2

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Bernard Bendiner )

Serial No. : 09/336,612 )

Filing Date: June 18, 1999, CPA filed )  
August 9, 2000 )

For SORBIC ACID AND/OR ITS )  
DERIVATIVES, SUCH AS )  
POTASSIUM SORBATE, AS A )  
PREVENTATIVE FOR RUST, )  
CORROSION AND SCALE ON )  
METAL )

Examiner

Group Art Unit No.

**AMENDMENT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir: